

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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US BANK, NATIONAL ASSOCIATION,

Plaintiff,

-against-

COMMONWEALTH LAND TITLE INSURANCE  
COMPANY,

Defendant.

-----X  
COMMONWEALTH LAND TITLE INSURANCE  
COMPANY,

Third-Party Plaintiff,

v.

ANM FUNDING LLC, ABE KLEIN, NOAH  
HERSHKOVITZ, LEAH HERSHKOVITZ, TSVINY  
HERSKOVITZ, LOWENTHAL & KOFMAN, P.C.,  
MARTIN KOFMAN, NORMAN TEPFER, SAMUEL  
GLUCKMAN and ROLAND FIELDS,

Third-Party Defendants.

-----X  
TO: Lowenthal & Kofman, P.C.  
2001 Flatbush Avenue  
Brooklyn, New York 11234

**YOU ARE HEREBY SUMMONED** and required to serve on:

EVANGELOS MICHAILIDIS, ESQ.  
Duane Morris LLP  
Attorneys for Plaintiff  
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**THIRD-PARTY  
SUMMONS IN  
A CIVIL ACTION**

Case No.: 13-civ-7626 (NRB)

BUTLER, FITZGERALD, FIVESON  
& McCARTHY  
A Professional Corporation  
Attorneys for Third-Party Plaintiff  
Attn: David K. Fiveson, Esq.  
A Principal of the Firm  
Nine East 45<sup>th</sup> Street, Ninth Floor  
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an answer to the third-party complaint which is served on you with this summons, within twenty (20) days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Dated: New York, New York  
August 11, 2014

Clerk: \_\_\_\_\_

By: \_\_\_\_\_  
Deputy Clerk